

II. REMARKS

The Examiner is requested to enter the amendment and reconsider the application. It is believed that no new matter has been added.

In the Office Action, claims 1-4, 7, 8, 11, 38, 39, 42, 43, and 45-54 have been rejected pursuant to 35 U.S.C. Sec. 102. The Examiner contends that Sullivan anticipates these claims for reasons more particularly set out in the Office Action.

In response, the rejection is respectfully traversed as Sullivan has not been properly shown to be the same as that which is in Applicant's claims, but the rejection and traversal are believed to be moot in view of the above-provided amendment, as discussed more particularly below.

In the Office Action, claims 27, 36, 40, and 41 have been rejected pursuant to 35 U.S.C. Sec. 103(a). The Examiner contends that Sullivan, in view of Petit, renders these claims obvious for reasons more particularly set out in the Office Action.

In response, the rejection is respectfully traversed as Sullivan, in combination with Petit, have not been properly shown to disclose all claim elements in Applicant's claims, and a showing of a proper reason to combine from the prior art is not provided, but the rejection and traversal are believed to be moot in view of the above-provided amendment, as discussed more particularly below.

In the Office Action, claims 5, 6, 9, 10, 12-26, 28-35, and 44 have been rejected pursuant to 35 U.S.C. Sec. 103(a). The Examiner contends that Sullivan, in view of Official Notice, renders these claims obvious for reasons more particularly set out in the Office Action.

In response, the rejection is respectfully traversed as Sullivan, in combination with Official Notice, have not been properly shown to disclose all claim elements in Applicant's claims, and a showing of a proper reason to combine from the prior art is not provided: if the rejection is maintained, a reference is required to enable Applicant to determine, pursuant to

Graham v Deere, whether there is a proper reason to combine. Pending such reference, the rejections are respectfully traversed as not meeting the standards set out in Graham v Deere. However, the rejection and traversal are believed to be moot in view of the above-provided amendment, as discussed more particularly below.

More particularly, with respect to the amended claims and the foregoing, the rejection of claim 37 concedes that "Sullivan fails to teach auctioning a proposed mortgage. However, the limitation appears to be directed towards an intended use...." The foregoing amendment to claim 37 makes the limitation more than what might have appeared to be an intended use.

More particularly, and with respect to the other amended claims and the foregoing, the cited art does not show, the plurality of external residential expense options mentioned in these claims, especially as cited in the context of the whole of each of the claims. Accordingly, it is believed that the rejection is moot, and the claims more clearly distinguish over the cited art.

The above-mentioned option element is equally applicable to the newly added claims.

It is believed that the foregoing addresses all concerns raised in the Office Action, and favorable consideration is requested. With respect to the present application, the Applicant hereby rescinds any disclaimer of the scope made in any parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer, if any, and the prior art that it was made to avoid, may need to be revisited. Nor should a disclaimer, if any, in the present application be read back into any predecessor or related application.

III. CONCLUSION

APPLICANT CLAIMS SMALL ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235, and if any extension of time is needed to reply to said office action, this shall be deemed a petition therefore.

If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

Respectfully submitted,



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